

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED SENATE CONCURRENT
RESOLUTION NO. 4011**

Introduced by

Senators Cook, Poolman, Schaible

Representatives Meier, Nathe, Toman

1 A concurrent resolution urging Congress to redefine the role and mission of the United States
2 Department of Education and to clarify the department's relationship with the states.

3 **WHEREAS**, while Section VIII of Article I of the United States Constitution sets forth the
4 enumerated powers given to Congress, the power to control or direct the education of this
5 nation's children is not included therein; and

6 **WHEREAS**, the Tenth Amendment to the United States Constitution states that any powers
7 not delegated to the United States by the Constitution, nor prohibited by it to the states, are
8 reserved to the states respectively, or to the people; and

9 **WHEREAS**, neither the words "education" nor "school" nor any of their derivatives are
10 found in the United States Constitution; and

11 **WHEREAS**, education is indisputably a pillar of a free society, it is incumbent upon the
12 federal government to recognize that the states are constitutionally responsible for the provision
13 of education and it is incumbent upon the states to recognize that the challenges of the 21st
14 Century are not local, regional, or even national, but global in scope and therefore require that
15 states and the United States Department of Education work in concert with each other to ensure
16 that children from every state in the union and all walks of life have access to a world class
17 curriculum, taught by world class teachers, in a safe and secure environment that allows them
18 to challenge their imaginations, to explore the world of knowledge, and to reach higher and
19 farther than they or their parents ever dreamed possible;

20 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
21 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

22 That the Sixty-fourth Legislative Assembly urges the Congress of the United States to
23 redefine the role and mission of the United States Department of Education so that it will
24 function as a collaborating partner with the states in order to harness the maximum fiscal
25 resources and to ensure that those resources are used effectively and efficiently at the state

Sixty-fourth
Legislative Assembly

1 and local levels for the provision of educational services and opportunities to all children, as
2 envisioned by the founding fathers, as supported by the residents of this and the other states,
3 and as required by circumstances so that this great country is once again and unequivocally the
4 global leader in educational achievement; and

5 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
6 to the President of the United States, the Secretary of the United States Department of
7 Education, and to each member of the North Dakota Congressional Delegation.